

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 12TH JUNE 2007 / 22ND JYAISHTA 1929

WP(C).No. 17327 of 2006(K)

PETITIONER:

- 1. V.P. UNNIKRISHNAN,
OFFSET OPERATOR GRADE II, GOVERNMENT PRESS,
KOZHIKODE (WORKING ON OTHER DUTY).**
- 2. P.N. HAFIS,
OFFSET OPERATOR GRADE II, GOVERNMENT PRESS,
KOZHIKODE (WORKING ON OTHER DUTY).**

**BY ADV. SRI.P.RAVINDRAN
SRI.HARIKRISHNAN RAVINDRAN**

RESPONDENTS:

- 1. DIRECTOR OF PRINTING,
PRINTING DEPARTMENT, GOVERNMENT CENTRAL PRESS,
THIRUVANANTHAPURAM.**
- 2. DEPUTY SUPERINTENDENT,
GOVERNMENT PRESS, KOZHIKODE.**

BY GOVERNMENT PLEADER SRI. P.NANDAKUMAR

**THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 12/06/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:**

WP(C) NO: 17327/2006 K

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE NOTIFICATION DT. 1/7/96.

EXT.P2. COPY OF THE ORDERS POSTING THE PETITIONERS AS OFFSET MACHINES OPERATORS.

EXT.P3. COPY OF THE ORDERS POSTING THE PETITIONERS AT KOZHIKODE.

EXT.P4. COPY OF THE ORDER DT. 28/11/05..

EXT.P5. COPY OF THE ORDER DT. 21/6/2006.

EXT.P6. COPY OF THE JUDGMENT IN OP NO. 9092/02 DT. 7/2/206.

EXT.P7. COPY OF THE REPRESENTATION DT. 24/06/2006.

EXT.P8. COPY OF THE REPRESENTATION DT. 24/6/2006.

EXT.P9. COPY OF THE COMMUNICATIOND T. 1/8/2006.

EXT.P10. COPY OF THE ORDER DT. 31/10/2006.

EXT.P11. COPY OF THE ORDER DT. 1/12/2006.

RESPONDENT'S EXHIBITS/ANNEXURES

ANNEXURE R1(A): COPY OF THE CIRCULAR NO. 8967/06/C8 DT. 16/5/2006.

True copy

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K.BALAKRISHNAN NAIR, J.

W.P.(C) No.17327 of 2006-K

Dated this the 12th day of June, 2007.

J U D G M E N T

The petitioners are Offset Operators Grade-II working in the Government Press, Kozhikode on other duty. They were posted as per Ext.P3 order dated 24-8-2001. On completion of the term of appointment on other duty, they were relieved on 30-3-2002. The petitioners challenged that order before this Court, on the ground that they were not allowed to complete the usual tenure of 3 years, by filing O.P.9092 of 2002. The said original petition was entertained by this Court and granted stay. On the strength of that interim order, they continued for 4 years and finally the original petition was dismissed. But, in the judgment it was made clear that if the petitioners have some other grievances, they may pursue the same, in appropriate proceedings. The petitioners thereafter submitted Exts.P7 and P8 representations praying that they may be retained at Kozhikode, pointing out various inconveniences. But, ignoring those representations, they were relieved by Ext.P5. So, this fresh writ petition is filed, challenging the said order stating that a Government servant is entitled to continue in the same station till the academic

year is over.

2. The first respondent has filed a statement opposing the prayers in the writ petition. The petitioner has filed reply affidavit. Later, the first respondent has filed a counter affidavit also.

3. I heard the learned counsel on both sides. The petitioners are government servants. They are liable to serve anywhere in India. From 2001 onwards they are continuing at Kozhikode under some guise or other. If the present contention of the petitioners are accepted, they cannot be relieved from Kozhikode, till they retire from service because the grounds raised are usual general grounds which can be raised by any government servant. This Court can interfere with a transfer order, if it is shown to be illegal or vitiated by malafides.

I find no merit in the Writ Petition. Accordingly, it is dismissed.

K.BALAKRISHNAN NAIR,
JUDGE.

MS